



DEPARTMENT OF THE ARMY

U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

CERM-BA

07 MAY 1998

MEMORANDUM FOR Commander, U.S. Army Engineering and Support Center, Huntsville,
P.O. Box 1600, Huntsville, Alabama 35807-4301

SUBJECT: Energy Savings Performance Contracts (ESPC)

1. References:

- a. Section 8093, P.L. 105-56, Department of Defense Appropriations Act, 1998.
- b. Memorandum CERM-B, 23 October 1996, subject: Carryover S&A.

2. This responds to the request of your Director of Resource Management, Mr. Robert Joslin, for a waiver on the restriction on implementing Carryover S&A imposed by reference 1b above. Specifically, the reference permitted commanders to obligate all S&A costs, including all in-house Government costs, but only upon actual award of a design or construction contract.

3. That restriction is hereby lifted to the extent that it pertains to your execution of the ESPC program, the reimbursable authority for which has already been issued to you by DoD Washington Headquarters Services. Given that you intend to provide reimbursable orders to several USACE districts, your orders should include the direction that the districts obligate the funds immediately upon receipt. As the bases for that instruction, your orders should cite both reference 1a and this memorandum. Be advised that, in order to assure full obligation of subject program's funds, all orders issued to the performing districts must be accepted prior to 30 September, and any amendments thereto on or after 1 October must cite the FY98 funds issued by DoD Washington Headquarters Services.

4. My POC here is Dale G. Ringer, 202-761-0658. This memorandum has been coordinated with the Office of Chief Counsel.

FOR THE COMMANDER:


STEPHEN COAKLEY
Deputy Chief of Staff,
Resource Management